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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 URIEL LIRA-CABRERA,

15 Defendant.

Case No. 2:20-cr-00061-APG-VCF

**STIPULATION TO CONTINUE THE
WAIVER OF INDICTMENT, FILING
OF AN INFORMATION AND
ARRAIGNMENT AND PLEA
HEARING**
(First Request)

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18 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
19 Trutanich, United States Attorney, and Jared Grimmer, Assistant United States Attorney,
20 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
21 and Raquel Lazo, Assistant Federal Public Defender, counsel for Uriel Lira-Cabrera, that the
22 waiver of indictment, filing of an information and arraignment and plea hearing currently
23 scheduled on April 22, 2020 at 9:30 am, be vacated and continued to a date and time convenient
24 to the Court, but no sooner than sixty (60) days.

25 This Stipulation is entered into for the following reasons:

26 1. On March 19, 2020, the Chief Judge of the U.S. District Court for the District
of Nevada issued Temporary General Order 2020-04 which noted that “the COVID-19

1 pandemic has continued to spread,” resulting in the need for “more aggressive social-distancing
2 measures.” The Court noted further that, “[o]n March 17, 2020, the Governor of the State of
3 Nevada ordered the closure of many business establishments and strongly encouraged all
4 citizens to stay home.” Accordingly, the Court ordered the temporary closure of the Clerk’s
5 office, and implemented other changes, including “striving to eliminate in-person court
6 appearances.” In the event any hearing must go forward, the Court will conduct the hearing via
7 video or teleconference. The Court will vacate or amend GO 2020-04 no later than April 30,
8 2020.

9 2. On March 30, 2020, the Chief Judge of the U.S. District Court for the District
10 of Nevada issued Temporary General Order 2020-05 finding that felony pleas and sentencings
11 “cannot be conducted in person in this district without seriously jeopardizing public health
12 and safety.” The Court further found that if a judge finds that a felony sentencing cannot be
13 further delayed without serious harm to the interests of justice, the judge may, with
14 defendant’s consent after consultation with counsel, use video conferencing.

15 3. Mr. Lira-Cabrera is currently incarcerated. Although he consents to
16 proceeding via video conferencing, at this time and given the facts of this case, defense
17 counsel cannot articulate specific reasons why the case cannot be further delayed “without
18 serious harm to the interests of justice.”

19 4. The parties agree to the continuance. Defense counsel has spoken to Mr. Lira-
20 Cabrera, and he agrees to a continuance of 60 days.

21 5. Additionally, denial of this request for continuance could result in a
22 miscarriage of justice.

23 This is the first request for continuance filed herein.
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1 DATED this 3rd day of April, 2020.

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3 RENE L. VALLADARES
Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

4
5 */s/ Raquel Lazo*
6 By _____

7 RAQUEL LAZO
Assistant Federal Public Defender

/s/ Jared Grimmer
By _____

JARED GRIMMER
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

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6 URIEL LIRA-CABRERA,

7 Defendant.
8

Case No. 2:20-cr-00061-APG-VCF

ORDER

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10 Based on the Stipulation of counsel and good cause appearing,

11 IT IS THEREFORE ORDERED that the the waiver of indictment, filing of an
12 information and arraignment and plea hearing currently scheduled on April 22, 2020 at the hour
13 of 9:30 a.m., be vacated and continued to June 23, 2020 at the hour of 10:00 a.m., Courtroom
14 6C. DATED this 6th day of April, 2020.

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17 UNITED STATES DISTRICT JUDGE
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